

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARL MONTIGUE LEWIS,

Petitioner,

No. CIV S-03-1410 GEB EFB P

vs.

DAVID L. RUNNELS,

Respondent.

ORDER

_____ /
An evidentiary hearing was held in this matter on February 2, 2009. Michael Bigelow appeared for petitioner. Laura Wetzel Simpton appeared for respondent. Following the hearing, and after discussion with counsel, THE COURT MADE THE FOLLOWING ORDERS and announced them to the parties in open court:

1. Petitioner may file a supplemental brief addressing his claim pursuant to *Batson v. Kentucky*, 476 U.S. 79 (1986), by February 23, 2009.
2. Respondent may file a responsive brief by March 9, 2009.
3. Petitioner may filed a reply brief by March 16, 2009.

////

////

////

1 4. Following submission of the additional briefing, petitioner's application for a writ of
2 habeas corpus will stand submitted to the court for decision.

3 DATED: February 5, 2009.

4
5 
6 EDMUND F. BRENNAN
7 UNITED STATES MAGISTRATE JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26